



## MEMORANDUM OF CERTIFICATION

TO: Greenwood Common Council

FROM: Gabriel Nelson, Planning Director

DATE: June 14, 2022

RE: **PC2022-036 - Zone Map Change - Kelsay Farms** - Rezoning from AG (Agricultural) to IL (Industrial Large) and CM (Commercial Medium) - containing 159.25 acres more or less - located just east of I-65 at the Southeast corner of Worthsville Road and County Road 250 East (Collins Road) in the City of Greenwood, Indiana. Petitioner; Eric Prime, Attorney.

At its June 13, 2022 public meeting, the Greenwood Advisory Plan Commission granted an **unfavorable recommendation** to the Common Council for the above referenced petition. The unfavorable motion was passed by a vote of 5 to 4.

A copy of the staff report as reviewed by the Plan Commission is attached to this memorandum.

The ordinance will be forwarded by the City Attorney.

Cc: Mayor  
City Attorney  
Clerk  
PC File



PLANNING DIVISION

300 South Madison Avenue | Greenwood, IN 46142 | 317.881.8698

# Staff Report – Plan Commission

<b>Docket #:</b>	PC2022-036	<b>Hearing Date:</b>	June 13, 2022
<b>Applicant:</b>	Eric W. Prime, attorney for JRM Associates LP and Ruth Kelsay		
<b>Owner:</b>	JRM Associates LP and Ruth Kelsay		
<b>Staff Contact:</b>	Gabe Nelson, nelsong@greenwood.in.gov, 317.887.5230		

## Request:

The subject property ("Real Estate") is located just east of I-65 at the Southeast corner of Worthsville Road and County Road 250 East (Collins Road) in the City of Greenwood Indiana. The Real Estate consists of approximately 154.4 acres and is currently zoned AG. The Petitioner is proposing the development of a manufacturing, light industrial or warehouse/distribution center as permitted under the IL zoning classification, with commercial lots on and along Worthsville Road and related parking and infrastructure. As these are speculative buildings, size and number will depend on the market. Petitioner, requests to amend the Zoning Map to change the classification of the frontage lots to CM with the balance of the Real Estate to IL.

## Location:

The subject properties (Parcel 41-05-11-042-010.003-052, 41-05-11-041-010.000-052, and 41-05-11-034-002.000-052, 41-05-11-044-010.001-052) are located at the Southeast corner of Worthsville Road and County Road 250 East (Collins Road) in the City of Greenwood, Indiana.

## Existing & Surrounding Land Use:

The property is zoned Agricultural (AG). A majority of the land is currently vacant land, with one residential house on Five Points Road.

- North- Vacant land zoned Agricultural (AG), RA (Residential Attached Single Family) and RM (Residential Medium).
- South- Residential and Vacant land zoned Johnson County Agricultural District (A-1)
- East- Residential and Vacant land zoned Johnson County Agricultural District (A-1)
- West- Vacant land with one residential house zoned Agricultural (AG) and Residential Large (RL)

See Attached Vicinity Map – Exhibit B

## Ordinance References:

- Resolution No. 07-12, Greenwood Comprehensive Plans
- Ord. No. 20-29 UDO
- UDO Sec. 10-03-06 Landscaping and Buffering
- UDO Sec. 10-03-14 Building Design Standards

## Statutory Criteria:

Plan Commission and the legislative body shall pay reasonable regard to:

- The comprehensive plan;
- Current conditions and the character of current structures and uses in each district;
- The most desirable use for which the land in each district is adapted;
- The conservation of property values throughout the jurisdiction; and
- Responsible development and growth.

## Comments and Petitioner's Findings of Fact:

The Petitioner is proposing the development of a manufacturing, light industrial or warehouse/distribution centers as permitted under the IL zoning classification, with commercial lots on and along Worthsville Road and related parking and infrastructure. As these are speculative buildings, size and number will depend on the market.

The following represents the petitioner's findings and the staff's comments on those findings.

### **The Comprehensive Plan**

*The petitioner has indicated that, "According to The City of Greenwood Comprehensive Plan adopted on December 17, 2012, the Real Estate is located within the Planning Area Boundary of the Future Land Use Map with a preference of mixed use. The Comprehensive Plan anticipates future industrial uses to generally be located close to I-65. The Real Estate was annexed into the City of Greenwood in 2013. The Real Estate is included in areas identified in the I-65 Worthsville Road Interchange Land Use Plan adopted on February 3, 2014 ("Plan") for Institutional and Retail. The northern portion of the proposed development includes six (6) commercial lots fronting on Worthsville Road. The Plan contemplates that development opportunities will be presented for this area which do not perfectly align with the vision for this area, and many changes will occur. The Plan is a guide which is intended to be flexible and adoptive over time. Approval of this Petition will allow the Petitioner to attract high quality businesses to Greenwood and create employment opportunities for its citizens. The proposed development will provide a significant increase in the Greenwood tax and job base."*

Exhibit E shows the most recent adopted Future Land Use Map (adopted December 17, 2012). Based on this plan, the site is shown to be Mixed-Use. Adjacent Jurisdictions' Comprehensive Plans (Town of Whiteland and Johnson County) identify this land as Light Industrial.

### **Current conditions and the character of current structures and uses in each district;**

*The petitioner has indicated that, "Industrial uses are present north of Worthsville Road while commercial uses are developing along Worthsville Road. Further south, although outside of City limits, the I-65 and Whiteland Road corridor has seen significant development over the past year. Landscape buffers will be established along boundaries that are adjacent to inconsistent uses. Petitioner's request is comprised of a use that is consistent with the area in the district and is therefore the most desirable."*

The use to the immediate north is vacant land zoned Agricultural (AG), RA (Residential Attached Single Family) and RM (Residential Medium); beyond that, the use is industrial. The use to the south is vacant land zoned Johnson County Agricultural District (A-1). The use to the east is residential and vacant land zoned Johnson County Agricultural District (A-1). The use to the west is vacant land with one residential house zoned Agricultural (AG) and Residential Large (RL)

### **The most desirable use for which the land in each district is adapted;**

*The petitioner has indicated that, "The proposed development is consistent with both the Comprehensive Plan and the I-65 Worthsville Road Interchange Land Use Plan. Current uses in the area are compatible to the north, south and west. Current use in the area and compliance with the comprehensive plan yields the most desirable use."*

Staff concurs. It has nearness to industrial/commercial (north) and residential. With appropriate buffering to the east, this site is consistent with surrounding character.

### **The conservation of property values throughout the jurisdiction; and**

The petitioner has indicated that, "The use of the adjacent properties would not be negatively affected because approval of this petition is consistent with the development in the area. The area directly surrounding the Real Estate is sparsely populated. Landscape buffers, mounding, trees, shrubs and water detention areas are intended for the development to minimize any effects on adjacent property. As such, this rezoning will not negatively affect surrounding property values."

Staff concurs. Staff notes that the site has adjacency to residential, thus making it a parcel for the transition from one use to another. An appropriate buffer is to be included and designed to physically separate and visually screen these adjacent land uses.

## Responsible development and growth.

*The petitioner has indicated that, "The Petitioner's proposed request to re-zone the Real Estate to an industrial zoning classification of IL and a commercial zoning classification of CM, complies with the City of Greenwood's intended uses for the area, as articulated in the 2012 Comprehensive Plan and the 1-65 Worthsville Road Interchange Land Use Plan. The proposed development will attract high quality businesses to the Greenwood area that will significantly add to the City's tax and job base."*

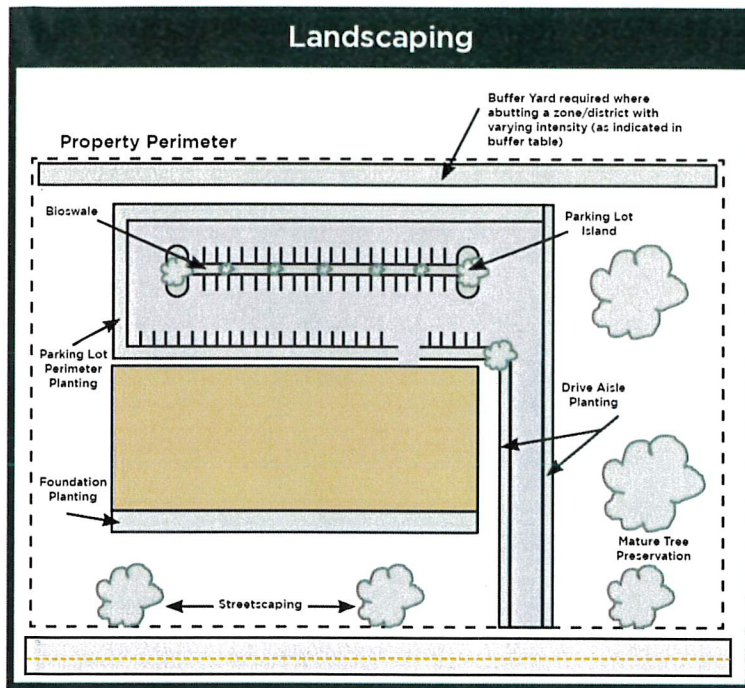
The 2012 Future Land Use Map shows the site as Mixed-Use.

## Recommendation:

Staff **recommends a favorable recommendation** of this petition. The proposed rezoning and use of the land as IL (Industrial Large) and CM (Commercial Medium). Industrial Large and Commercial Medium is consistent with surrounding land uses. Staff recommends a favorable recommendation with the following commitments and amendments:

1. The following buffer yard concerns shall be addressed during design:
  - a. Place a large (40') buffer yard with landscaping (5 canopy/evergreen trees, 4 ornamental trees, and 20 shrubs per 100') on the north, east, and west side of the IL zoning. For large buffer yards, a high-quality fence made of wood or masonry six (6) feet in height shall reduce the required buffer yard by 10 feet.
  - b. Place a small (20') buffer yard with landscaping (3 canopy/evergreen, 2 ornamental trees, 10 shrubs per 100') on the south side of the IL zoning.
  - c. The easternmost landscaped buffer yard (along Five Points) shall consist of a berm of approximately six feet (6') in height and be placed on the east side of the storm water management area.
2. The following lighting concerns shall be addressed during design:
  - a. Any lighting within 300 feet of Five Points must be no higher than 15.
  - b. All lighting must meet Sec 10-03-07 Outdoor Lighting.
3. Prepare a Traffic Study for this development, coordinating the scope of the study with Greenwood engineering.
4. Any traffic and access concerns identified by engineering and/or the traffic impact study will be addressed.
5. The following engineering concerns shall be addressed during design:
  - a. Roadway improvements such as accel/decel lands, passing blisters, right-of-way dedications and pedestrian facilities will be required from all roadways that surround the property.
  - b. All improvements will be performed in accordance with the Technical Review Committee.
  - c. Worthsville Rd:
    - i. Align easternmost entrance (east of lot 6) with Grand Vista entrance. Extend this full access entrance south into the IL zoning, developing vehicle and pedestrian access to all IL from this entrance.
    - ii. An additional entrance may be established along Worthsville Road accessing the CM lots. This entrance will be located as to result in no undue interference with, or hazard to, the free movement of normal vehicular traffic and so that areas of traffic congestion will not be created on the highway. Driveway access will be dependent on the findings of the traffic impact study and coordination with Greenwood Engineering.
    - iii. The existing asphalt trail (along the southside of Worthsville Rd) shall be reestablished, incorporating ADA requirements and crossings.
  - d. Collins Rd (CR 250):
    - i. All semi traffic shall enter IL sites from Collins Rd (CR 250).
    - ii. Two means of access is required to IL parcels with appropriate internal site circulation for semi traffic.
    - iii. Collins Rd (CR 250) shall be rebuilt to Typical County Road Option #1 along entire frontage.
    - iv. Right-of-way (along the west side of Collins Rd) shall be obtained to construct appropriate accel/decel lanes and passing blisters.
    - v. A 10' asphalt path will be constructed along Collins Rd, as identified in the Greenwood Comprehensive Plan.





#### G. Foundation Plantings

Foundation landscaping shall be provided as per the property groupings listed below:

Standard	Single-family residential properties and duplexes	Multi-family properties	Commercial properties under 25,000 sf of GFA and institutional properties	Industrial Properties, and any commercial property over 25,000 sf of GFA
Front Yard Landscaping	Planting strip with minimum width of three (3) feet along the full length of the foundation facing a street.	Planting strip with minimum width of five (5) feet along the full length of the foundation facing a street.	Planting strip with minimum width of 10 feet along the full-length of the foundation facing a street.*	Planting strip with minimum width of 15 feet along the full length of the foundation facing a street.*
Type of Planting	Five small shrubs and one shade tree per street frontage.	Shrubs, flowers, long grasses, shade or evergreen trees at the recommended spacing by plant type. Spacing distance for plantings may not be greater than the recommended spacing by plant type.	Shrubs, flowers, long grasses, shade/evergreen trees at the recommended spacing by plant type. Spacing distance for plantings may not be greater than the recommended spacing by plant type.	Shade, ornamental and/or evergreen trees are required at one (1) per 40 feet of linear foundation length facing the front street. Shrubs, grasses, and flowers may be interspersed at the recommended spacing by plant type. Spacing distance for plantings may not be greater than the recommended spacing by plant type.
	*If a decorative masonry wall is erected, the planting strip may be decreased to four (4) feet in width.			
	Old Town development where the structure physically abuts the public sidewalks shall be exempt from the foundation landscape requirement.			

#### H. Streetscaping

Street trees shall be planted at a rate of one tree per 40 linear feet of frontage. Trees shall be planted in the front yard no closer than three feet from the curb or edge of the right-of-way, or if there is a sidewalk then three feet on the sidewalk opposite the street, as the case may be. Tree plantings shall not be placed in the visibility triangle located at an intersection. Street trees may be spaced 30-60 feet apart depending on site conditions provided the spacing averages to one tree per 40 feet of curb line adjacent to the subject properties.

I. Buffering

A landscaped buffer shall be required where districts and zones abut to mitigate the impact of adjacent uses that vary in intensity. Buffer yards shall be categorized as Small, Medium, or Large; the standards for each buffer yard are listed in the table below.

Buffer Yards	Small	Medium	Large
Width (min)	20'*	30'	40'
Canopy or Evergreen Trees (min per 100')	3	4	5
Ornamental Trees (min per 100')	2	3	4
Shrubs (min per 100')	10	15	20
*Where a residential subdivision is being established, a perimeter buffer yard 20 feet in width must be planted along all thoroughfares which abut the subdivision, irrespective of whether front, side or rear yards abut the thoroughfare, and provide access to the subdivision. All such buffers shall be located within common areas and not on an individual lot or lots.			
Trees shall be prorated and rounded up to the nearest whole number for every foot over the initial 100 feet of contiguous boundary with the conflicting district, zone or use.			
Undulating mounds or berms may be substituted for a perimeter buffer yards. Mounds or berms shall be a minimum height of six (6) feet, a minimum crown width of two (2) feet, and a side slope not greater than three (3) feet horizontal to one (1) foot vertical. Mounds or berms shall be planted and covered with live vegetation. One tree must be planted on the berm for every 40 feet in length.			
For the Medium and Large buffer yards, the erection of a high-quality fence made of wood or masonry six (6) feet in height as measured from the nearest visible street or adjacent property shall reduce the required buffer yard by 10 feet. Landscape must be installed on the outward side of the fence.			
Buffers shall be located along the outer perimeter of the lot, parallel to and extending along 100% of the shared lot lines, except the lot line abutting the right-of-way.			
If the difference in GFA between a minor commercial use and a major commercial use is less than 10,000 sf of GFA, then a buffer yard is not required.			

The small, medium and large buffering as described above shall be applied at the perimeter of properties that abut a different district or zone. The buffer yard is the responsibility of the developing use, and shall be applied as per the matrix below:

District or Zone Where Developing Use is Located*						
Adjoining District or Zone		RL/RM/RA/OTR	RMC/RMH	CS/OT	CM/CL/IC	IM/IL
	RL/RM/RA/OTR		Small	Small	Large	Large
	RMC/RMH	Small		Small	Medium	Large
	CS/OT	Small	Small		Medium	Large
	CM/CL/IC	Medium	Medium	Medium		Large
	IM/IL	Large	Large	Large	Large	

J. Parking Lot Landscaping:

A. Off-Street Parking Islands

1. Within off-street parking lots, a landscaped interior island must be provided every 14 parking spaces and islands must be distributed evenly throughout the parking area.
2. Interior islands may be consolidated, or intervals may be expanded in order to preserve existing trees.
3. An interior island must be a minimum of 10 feet in width and 180 square feet in area.
4. Interior islands must be installed below the level of the parking lot surface to allow for runoff capture.
5. All interior islands must contain at least one tree with a minimum diameter of 4 inches.
6. Islands are not required to utilize curbs. If desired, roll or stand up curbs may be utilized not exceeding four (4) inches in height.
7. Bioswales that include tree plantings may be provided between parking rows in lieu of parking islands so long as 10% of the parking lot is landscaped. Bioswales must contain one shade tree per 40 lineal feet of bioswales.
8. For parking lots exclusively serving semi-trucks and trailers, interior islands and any bioswales may be situated along the perimeter of the parking lot; In such instances the islands and bioswales shall be in addition to any applicable buffer requirements herein.
9. No landscape interior islands must be included within two rows of parking directly adjacent to a loading dock so that trucks have adequate space to maneuver.

B. Perimeter Parking Lot Landscaping

1. A minimum 5-foot wide, landscaped area with a continuous row of shrubs must be provided at the perimeter of the parking lot. Shrubs must be a minimum of 18 inches in height when planted and must reach a minimum size of 3 feet in height within 3 years of planting.
2. Per 35 feet of lineal feet of planting, a minimum of one (1) tree and three (3) shrubs must be planted.
3. The required 5-foot landscaped area may be reduced to 3 feet when a 3-foot high masonry wall, wrought iron or wood picket fence is erected.
4. Beyond the 5-foot wide landscaped area, when abutting a Primary or Secondary Arterial, an additional buffer area 10 feet in width must be given between the parking lot landscaping and the edge of the right-of-way.
5. Drive aisles must also have perimeter plantings.
6. Where parking lot perimeter landscape conflicts with tractor-trailer parking, alternate landscape placement may be approved by the Planning Director.

C. Perimeter Parking Garage Landscaping

1. A minimum 5-foot wide, landscaped area with a continuous row of trees and shrubs must be provided at the perimeter of the parking garage. Shrubs must be a minimum of 18 inches in height when planted and must reach a minimum size of 3 feet in height within 3 years of planting and trees must have a minimum trunk diameter of 2 1/2 inches at the time of planting. Trees and shrubs shall be planted at the minimum recommended plant spacing by genus.

7. The structures will comply with the following Building Design Standards, unless a variance requests from the standards is filed with the City of Greenwood Board of Zoning Appeals:

**Building Design Standards**

A. Applicability and Purpose

1. The building design standards herein are intended to promote high-quality, aesthetically consistent, but not homogenous or monotonous, design for the promotion of the durability and longevity of buildings and the preservation of property values in the City.
2. The building design standards herein shall apply to all new development, in addition to expansion of an existing structure by an amount greater than or equal to 20% of the gross floor area.



C. Industrial Building Design Standards. The following table sets forth required design standards for all new structures containing an industrial use, all new additions to structures containing an industrial use, and alterations to the front elevation of structures containing an industrial use:

Industrial Building Design Standards	
Feature	Standards
Front Elevation	<ol style="list-style-type: none"> <li>1. Front elevations shall be comprised of any one or any combination of the following materials: stone; brick; fiber cement siding; engineered wood siding; pre-cast concrete; aluminum composite panels; or insulated metal panels provided that a minimum of 15% of the front elevation shall be clad in mortared masonry not including split-faced block.</li> <li>2. The front elevation shall comply with the minimum transparency requirements of 10 percent.</li> <li>3. The front façade shall articulate horizontally a minimum of two (2) feet per every 150 feet of façade width. Articulation points do not have to be evenly spaced and cannot be combined.</li> <li>4. Metal cladding may be permitted on not more than 20% of the front elevation.</li> <li>5. Metal grills and thru-air units are not permitted on the front elevation.</li> <li>6. Industrial buildings larger than 50,000 square feet must break up the front elevation by providing a pronounced entry that is either protruding or recessed from the front wall face.</li> </ol>
Side Elevations	<ol style="list-style-type: none"> <li>1. Side elevations shall be fully clad in the predominant material of the front elevation.</li> </ol>
Rear Elevation	<ol style="list-style-type: none"> <li>1. Rear elevations shall be clad in the same material as the side elevations.</li> </ol>
Corner Elevations	<ol style="list-style-type: none"> <li>1. Side elevations facing a street, such as those on a building situated on a corner lot, shall include not less than 30% transparency on the portion of the elevation closest to the street corner.</li> </ol>
Pre-Cast Concrete	<ol style="list-style-type: none"> <li>1. Pre-cast concrete exteriors shall not have a plain, smooth surface.</li> <li>2. The surface of pre-cast concrete walls shall be textured, veneered, stamped, imprinted, or otherwise finished with architectural designs, details, patterns or materials.</li> </ol>

8. Concept Plan:

- a. Development identified as CM in Attachment A shall follow the following development standards:

The Commercial Medium Format ("CM") zone provides for areas of the City devoted to medium-scale businesses located in buildings that will serve small to larger-scale businesses along corridors that are interspersed with commercial and residential uses. The CM zone includes a number of complimentary principal and accessory uses by right and as special exceptions. The following table contains the list of uses that are permitted by right, or by special exception in the CM zone. Standards generally applicable to certain uses and dimensional standards can be found in Division III., "Generally Applicable Standards". Development standards specific to the CM zone are set forth as follows:

CM STANDARDS	Minimum	Maximum
Lot Size (Sq. Ft.)	20,000	100,000
Lot Width (Ft.)	N/A	N/A
Units per Acre	N/A	N/A
Front Yard Setback (Ft.)	20	80



Exhibit A – Preliminary Site Plan

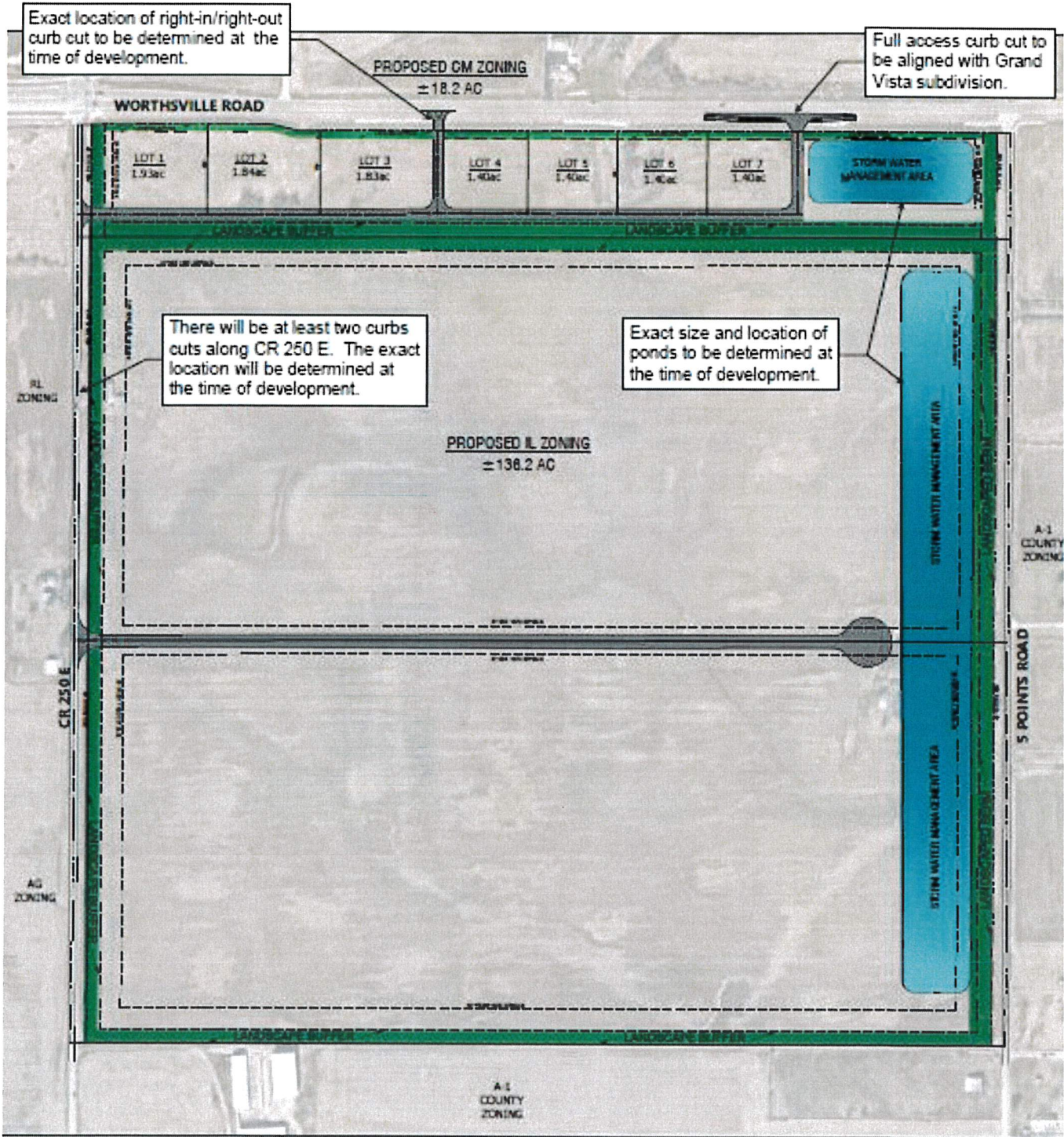




Exhibit B – Vicinity Map





## Exhibit C – Existing Zoning Maps

### Greenwood Zoning



### Johnson County Zoning

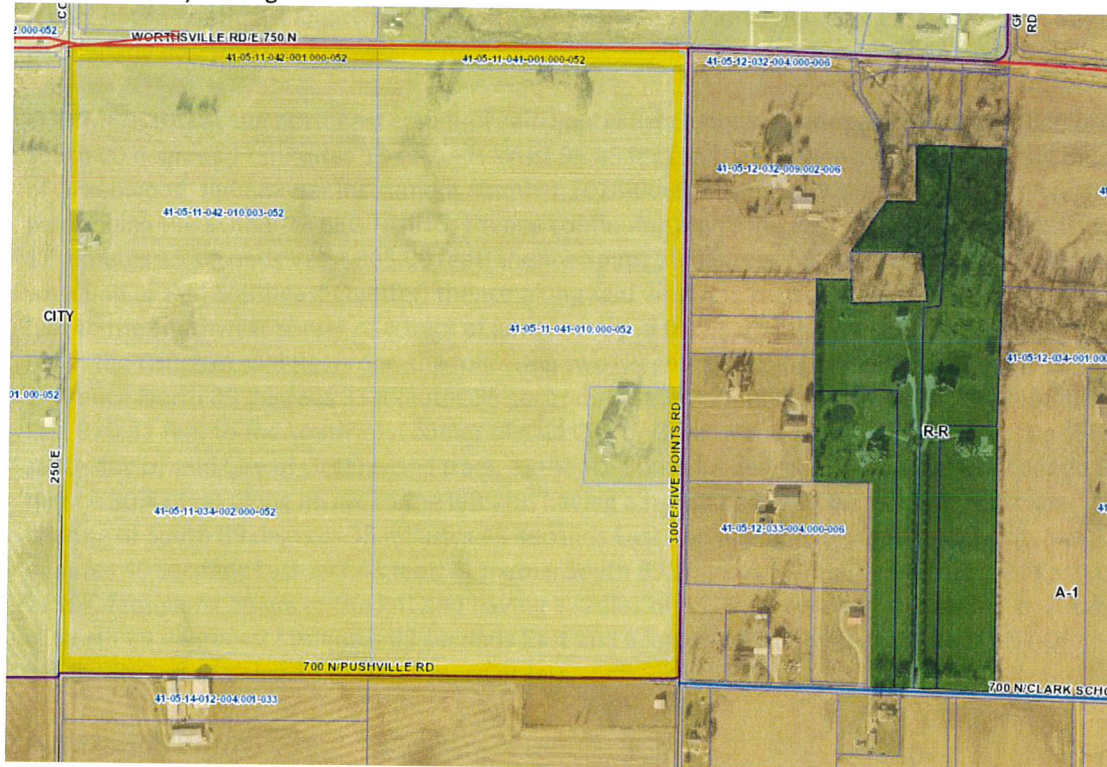
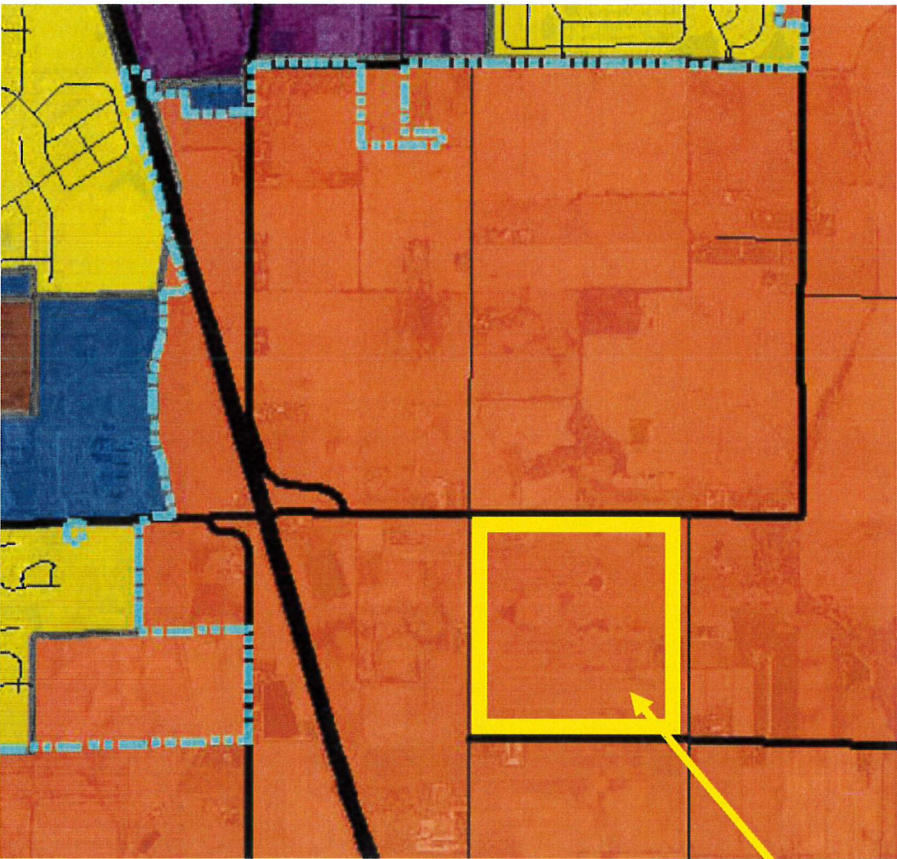




Exhibit E – Greenwood Comprehensive Plan Proposed Land Use



Legend

- Planning Area Boundary
- Current Corporate Boundary
- Old Town
- Single-family Residential
- Multi-family Residential
- Business-Office
- Commercial
- Mixed-Use
- Industrial
- Institutional
- Public Open Space

Site